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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,127	06/26/2003	Angelina McMullin	END903009US1	5527
30400 7590 07/16/2007 HESLIN ROTHENBERG FARLEY & MESITI P.C. 5 COLUMBIA CIRCLE ALBANY, NY 12203			EXAMINER BASHORE, WILLIAM L	
			ART UNIT 2176	PAPER NUMBER
			MAIL DATE 07/16/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/607,127	Applicant(s) MCMULLIN, ANGELINA	
	Examiner William L. Bashore	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) 15-18,28,38 and 39 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14,19-27 and 29-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/12/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: amendment filed 4/12/2007 to the original application filed 6/26/2003.
2. Claims 1-39 pending. Claims 1-14, 19-27, 29-37 continue to be examined on the merits. Within said claim set; 1, 19, 29 are independent. Claims 15-18, 28, 38-39 remain withdrawn.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-14, 19-27, 29-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Becerra, JR. (hereinafter Becerra), U.S. Application Publication No. 2003/0169295, provisional filing March 7, 2002, in view of Devine et al. (hereinafter Devine), U.S. Application Publication No. 2002/0095399 provisional filing August 4, 2000, and further in view of Mujica et al. (hereinafter Mujica) US PG Pub No. US 2003/0117447 filed 12/21/2001.**

In regard to independent claim 1, Becerra teaches an electronic tool for the creation of interactive representations of input and output data, and for simulating associated algorithms used to manipulate said data that are used in spreadsheets. The simulation is generated based on data sources within an application program file (spreadsheet data cells). Becerra additionally teaches an interface, using input arrangements (i.e. data

Art Unit: 2176

arrangements), said arrangements associated with spreadsheet execution, accordingly (Becerra Abstract, Figure 2, also paragraph [0011] – especially at end of said paragraph, and paragraphs [0022], [0023], [0024], [0025]).

It is additionally noted that Becerra does not specifically teach that the spreadsheet itself is to execute its logic. However, Devine teaches a spreadsheet statistical reporting method whereby a spreadsheet executes internal statistical calculations on inputs (Devine paragraph [0449]). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Devine to Becerra, providing Becerra the benefit of well known statistical test methods by the spreadsheet to confirm Becerra's analyzed spreadsheet algorithms (see also Devine paragraph [0449] – at middle). It is further noted that both references are in the same general field of endeavor (calculating spreadsheet reports). Compare the above with "*A method of facilitating development of programs, said method comprising; providing an interface of a program; and including in the program a spreadsheet that is to execute logic of the spreadsheet in response to data of the interface,...*".

Becerra teaches selecting one or more data cells in a pre-existing spreadsheet file (Becerra paragraph [0010] – at bottom). Becerra does not specifically disclose a spreadsheet which is "*unchangeable*" by a user. However, Mujica teaches a spreadsheet application comprising the ability of a user to lock either an individual cell or a group of cells (i.e. all cells of a spreadsheet), thereby locking spreadsheet changes (Mujica paragraphs [0004], [0017]). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Mujica to Becerra, providing Becerra the benefit of creating a program with locked cells therefore ensuring better data security.

Becerra teaches displaying output (Becerra Figures 2-5).

In regard to dependent claim 2, Becerra does not specifically teach hiding a spreadsheet program. However, Devine teaches running a spreadsheet "hidden" (Devine paragraph [0549]). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Devine to Becerra, providing Becerra the benefit of hiding a spreadsheet for increased security (e.g. for service deliveries only).

In regard to dependent claim 3, Becerra does not specifically teach that the spreadsheet avoids re-coding. However, Devine teaches running a spreadsheet “hidden” (Devine paragraph [0549]). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Devine to Becerra, providing Becerra the benefit of hiding a spreadsheet for increased security (e.g. for service deliveries only, and therefore avoids re-coding).

In regard to dependent claim 4, Becerra teaches creating an interface based upon a spreadsheet (Becerra paragraph [0010]).

In regard to dependent claim 5, Becerra teaches creating interactive representations of (spreadsheet) input and output data (Becerra Abstract, Figure 5). Becerra does not specifically disclose input and results “tabs”. However, Becerra’s teaching of Sheet tabs (Becerra Figure 4 – at bottom) to differentiate between spreadsheets, provides reasonable suggestion to one of ordinary skill in the art at the time of the invention to apply “tabs” to input and result sections, facilitating differentiation between input and result data.

In regard to dependent claims 6, 7, 8, Becerra teaches creating input components and selecting ranges, so as to facilitate interaction with Becerra’s spreadsheet (Becerra paragraph [0010], Figure 2). It is noted that these input components provide association data to the spreadsheet.

Becerra does not specifically teach prior checks and tasks. However, Devine teaches a spreadsheet statistical reporting method whereby a spreadsheet executes internal statistical calculations on inputs (Devine paragraph [0449]). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Devine to Becerra, providing Becerra the benefit of well known statistical test methods by the spreadsheet to confirm in advance Becerra’s analyzed spreadsheet algorithms (see also Devine paragraph [0449] – at middle).

In regard to dependent claim 9, Becerra does not specifically teach that the output data is from the spreadsheet itself. However, Devine teaches a spreadsheet statistical reporting method whereby a spreadsheet executes internal statistical calculations on inputs (Devine paragraph [0449]). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Devine to Becerra, providing Becerra the benefit of well known statistical test methods by the spreadsheet to confirm in advance Becerra's analyzed spreadsheet algorithms by providing output data from said spreadsheet (see also Devine paragraph [0449] – at middle).

In regard to dependent claims 10, 11, Becerra teaches formulas to be applied to input data (Becerra paragraph [0011]). Becerra teaches results (Becerra Figure 5).

In regard to dependent claim 12, 13, Becerra does not specifically teach exclusive input/output access to the spreadsheet. However, Devine teaches a user logon and other authentication procedures for identification of authorized member users (Devine paragraph [0495]). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Devine to Becerra, providing Becerra the benefit of exclusive input/output, ensuring greater security.

In regard to dependent claim 14, Becerra teaches an initial setup of graphical slider controls associated with input cells. Calculations are replaced as input values change (via slider), without rearrangement (re-coding) of the interface (Becerra paragraph [0042]).

Becerra teaches selecting one or more data cells in a pre-existing spreadsheet file (Becerra paragraph [0010] – at bottom). Becerra does not specifically disclose a spreadsheet which replaces calculations by other than the user. However, Mujica teaches a spreadsheet application comprising the ability of a user to lock either an individual cell or a group of cells (i.e. all cells of a spreadsheet), thereby locking spreadsheet changes (Mujica paragraphs [0004], [0017]). It is noted that the claimed "other" user can be the programmer with the power to change, replace, and lock accordingly, preventing all future users from editing. It would have been

obvious to one of ordinary skill in the art at the time of the invention to apply Mujica to Becerra, providing Becerra the benefit of creating a program with locked cells therefore ensuring better data security.

In regard to independent claim 19, Becerra teaches an electronic tool for the creation of interactive representations of input and output data, and for simulating associated algorithms used to manipulate said data that are used in spreadsheets. The simulation is generated based on data sources within an application program file (spreadsheet data cells). Becerra additionally teaches an interface, using input arrangements (i.e. data arrangements), said arrangements associated with spreadsheet execution, accordingly (Becerra Abstract, Figure 2, also paragraph [0011] – especially at end of said paragraph, and paragraphs [0022], [0023], [0024], [0025]). Compare with “*A method of facilitating development of programs, said method comprising; providing an interface of a program; and including in the program a spreadsheet that is to execute logic of the spreadsheet in response to data of the interface, ...*”.

It is additionally noted that Becerra does not specifically teach that the spreadsheet itself is to execute its logic. However, Devine teaches a spreadsheet statistical reporting method whereby a spreadsheet executes internal statistical calculations on inputs (Devine paragraph [0449]). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Devine to Becerra, providing Becerra the benefit of well known statistical test methods by the spreadsheet to confirm Becerra’s analyzed spreadsheet algorithms (see also Devine paragraph [0449] – at middle). It is further noted that both references are in the same general field of endeavor (calculating spreadsheet reports).

Becerra teaches selecting one or more data cells in a pre-existing spreadsheet file (Becerra paragraph [0010] – at bottom). Becerra does not specifically disclose a spreadsheet which is “*unchangeable*” by a user. However, Mujica teaches a spreadsheet application comprising the ability of a user to lock either an individual cell or a group of cells (i.e. all cells of a spreadsheet), thereby locking spreadsheet changes (Mujica paragraphs [0004], [0017]). It would have been obvious to one of ordinary skill in the art at the time of the invention to

Art Unit: 2176

apply Mujica to Becerra, providing Becerra the benefit of creating a program with locked cells therefore ensuring better data security.

Becerra teaches displaying output (Becerra Figures 2-5).

In regard to dependent claims 20-25, 27, claims 20-25, 27 reflect the system comprising computer readable instructions used for performing the methods as claimed in claims 2, 4, 6, 7, 9, 10, 14, respectively, and are rejected along the same rationale.

In regard to dependent claim 26, claim 26 reflects the system comprising computer readable instructions used for performing the methods as claimed in claims 12, 13, and is rejected along the same rationale.

In regard to independent claim 29, Becerra teaches an electronic tool for the creation of interactive representations of input and output data, and for simulating associated algorithms used to manipulate said data that are used in spreadsheets. The simulation is generated based on data sources within an application program file (spreadsheet data cells). Becerra additionally teaches an interface, using input arrangements (i.e. data arrangements), said arrangements associated with spreadsheet execution, accordingly (Becerra Abstract, Figure 2, also paragraph [0011] – especially at end of said paragraph, and paragraphs [0022], [0023], [0024], [0025]). Compare with “*A method of facilitating development of programs, said method comprising; providing an interface of a program; and including in the program a spreadsheet that is to execute logic of the spreadsheet in response to data of the interface, ...*”.

It is additionally noted that Becerra does not specifically teach that the spreadsheet itself is to execute its logic. However, Devine teaches a spreadsheet statistical reporting method whereby a spreadsheet executes internal statistical calculations on inputs (Devine paragraph [0449]). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Devine to Becerra, providing Becerra the benefit of

Art Unit: 2176

well known statistical test methods by the spreadsheet to confirm Becerra's analyzed spreadsheet algorithms (see also Devine paragraph [0449] – at middle). It is further noted that both references are in the same general field of endeavor (calculating spreadsheet reports).

Becerra teaches selecting one or more data cells in a pre-existing spreadsheet file (Becerra paragraph [0010] – at bottom). Becerra does not specifically disclose a spreadsheet which is “*unchangeable*” by a user. However, Mujica teaches a spreadsheet application comprising the ability of a user to lock either an individual cell or a group of cells (i.e. all cells of a spreadsheet), thereby locking spreadsheet changes (Mujica paragraphs [0004], [0017]). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Mujica to Becerra, providing Becerra the benefit of creating a program with locked cells therefore ensuring better data security.

Becerra teaches displaying output (Becerra Figures 2-5).

In regard to dependent claims 30-35, 37, claims 30-35, 37 reflect the product comprising computer readable instructions used for performing the methods as claimed in claims 2, 4, 6, 7, 9, 10, 14, respectively, and are rejected along the same rationale.

In regard to dependent claim 36, claim 36 reflects the product comprising computer readable instructions used for performing the methods as claimed in claims 12, 13, and is rejected along the same rationale.

Response to Arguments

5. Applicant's arguments filed 4/12/2007 have been fully and carefully considered but they are not persuasive.

Applicant argues on page 11 of the amendment that Becerra paragraph [0003] teaches creating animations of spreadsheet data that runs on a Flash player, and is therefore not within the field of Applicant's

Art Unit: 2176

endeavor. The examiner respectfully disagrees. Becerra's invention utilizes spreadsheet data in combination with various custom algorithms in order to create custom computer graphic representations, which can be reasonable interpreted as "program creation", since a program must be created and customized so as to produce a final product (i.e. for a Flash player, etc.). See also Becerra paragraph [0036] to [0037], which teaches binding components to spreadsheet cells.

Applicant further argues on page 11 of the amendment that Becerra is not reasonable pertinent to the problem the present invention seeks to solve. The examiner respectfully disagrees. Although paragraph [0011] of Becerra does mention a simulation, Becerra still relies on a spreadsheet program to create the underlying algorithms and mathematical relationships.

Applicant argues on pages 11-12 of the amendment that Devine and Mujica are not analogous art. The examiner respectfully disagrees. It is respectfully submitted that the references are in the same general field of endeavor inasmuch as each reference deals substantially with spreadsheets. Becerra relies heavily upon spreadsheets, and Devine/Mujica deal with spreadsheets. The cited references are applied to Applicant's instant claims accordingly.

Applicant argues on page 13 of the amendment that Becerra does not teach a spreadsheet within a program, asserting that Becerra only implements a flash simulation. The examiner respectfully disagrees. Becerra teaches at paragraph [0011] that the spreadsheet's algorithms and mathematical relationships are replicated in the control panel file. Since the program imports said spreadsheet data and applies said data to said replicated relationships, logic of the spreadsheet is executed by the program to produce output. It is additionally noted that the instant rejection recites that Becerra does not specifically teach that the spreadsheet itself is to execute its logic. However, Devine teaches this and is applied to Becerra accordingly.

Regarding Applicant's arguments asserting Becerra as mute to being unchangeable by a user, the Examiner respectfully disagrees. The instant rejections uses Mujica to teach this feature.

Art Unit: 2176

Regarding applicant's arguments on page 14 of the amendment, it is respectfully noted that Becerra is silent regarding viewing or hiding a spreadsheet (or a spreadsheet simulation, etc.). However, Devine teaches hiding a spreadsheet and is applied to Becerra accordingly.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (571) 272-4088. The examiner can normally be reached 9:00am to 5:30pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2176

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


WILLIAM BASHORE
PRIMARY EXAMINER

June 23, 2007